

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
FEBRUARY 14, 2018**

CALL TO ORDER <i>5:59 pm</i>	A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at South Campus Building, 40 11 th Street W, Ste. 200, Kalispell, Montana. Board members present were Dean Sirucek, Greg Stevens, Jeff Larsen, Mike Horn, Ron Schlegel, and Kevin Lake. James Thompson was absent. Sandra Nogal had an excused absence. Mark Mussman represented the Flathead County Planning & Zoning Office. There were 4 members of the public in attendance.
APPROVAL OF MEETING MINUTES <i>5:59 pm</i>	Schlegel made a motion, seconded by Horn, to approve the January 10, 2018 meeting minutes. Motion carried unanimously by roll call vote.
PUBLIC COMMENT <i>(Public matters that are within the jurisdiction of the Board 2-3-103 M.C.A)</i> <i>6:00 pm</i>	None
ZONE CHANGE HWY 93 N (FZC-17-07) <i>6:01 PM</i>	A zone change request in the Highway 93 North Zoning District by Sands Surveying on behalf of Heather and Paul McDonald. The proposal would change the zoning on a parcel containing approximately 19.47 acres from SAG-10 (Suburban Agricultural) to I-1H (Light Industrial Highway) and SAG-5 (Suburban Agriculture). The subject property is located at 4015 Highway 93 North, north of Kalispell.
STAFF REPORT <i>6:01 pm</i>	Mark Mussman reviewed staff report FZC-17-07 for the board.
BOARD QUESTIONS <i>6:03 pm</i>	None
APPLICANT PRESENTATION <i>6:03 pm</i>	<u>Eric Mulcahy</u> , with Sands Surveying, got up and reviewed the application. He pointed out that the difference between last application and this application being that they expanded the SAG5 zone and reduced the I1H zone. The

reason the applicant pulled the application before going to the commissioners was there was a topographic overlay and the new proposed boundaries suited the site. They wanted to better suit the zone for the site. There were no immediate plans for a subdivision but they would not propose 1 acre parcels regardless. He said that the area was in transitional zoning with industrial uses in the area. They felt like they were in compliance with the growth policy.

None

**BOARD
QUESTIONS**

6:05 pm

**AGENCY
COMMENTS**

None

6:06 pm

**PUBLIC
COMMENT**

6:06 pm

Ronald Potthoff, 284 Scenic Ridge Rd, identified himself as being the neighbor who shared the northeast property line. He said they owned the road and the width of the road in front of them. He was concerned about the change of the SAG10 to SAG5 because it would create more congestion. He was also concerned about the road and easement issues. He went in to detail about easement issues that could be the fallout if it was passed. He explained how he had already had issues with the road and felt like it was only going to create more. He suggested that the county buy the road because he was concerned about the upkeep should this happen. He understood what they were trying to do but he was not ok with the zone change.

Stevens wondered if he had given it any consideration to buying the property. He said he had approached him but did not feel like it was a good encounter. He said he wasn't trying to create hardship on anybody but was also trying to protect his rights.

Schlegel questioned the easement and the exact location. They looked at the plat map and Potthoff explained where the road of concern was. He pointed out the properties which he had given easement to and the ones that did not have it.

**APPLICANT
REBUTTAL/
COMMENTS**

6:16 pm

Mulcahy said did not have a rebuttal but told the board he was available for questioning. Stevens wondered what would have to be done during the subdivision process regarding the access. Mulcahy replied that they had to show that they had legal access. They went over the requirements and what that would entail. He said that the county has a 60' right away standard. Stevens brought up that he was asking the question to the benefit of those concerned so they realized there would be a lot of hoops to get through first.

**STAFF
REBUTTAL/
COMMENTS**

6:18 pm

None


<p>MAIN MOTION TO ADOPT F.O.F. (FACT) 6:19 pm</p>	<p>Schlegel made a motion, seconded by Lake, to adopt staff FZC-17-07 as findings of fact.</p>
<p>BOARD DISCUSSION 6:19 pm</p>	<p>None</p>
<p>ROLL CALL TO ADOPT F.O.F. (FACT) 6:19 pm</p>	<p>Motion was passed on a roll call vote.</p>
<p>MAIN MOTION TO RECOMMEND APPROVAL 6:19 pm</p>	<p>Schlegel made a motion, seconded by Horn, to recommended approval of FZC-17-07 to the Board of County Commissioners.</p>
<p>BOARD DISCUSSION 6:20 pm</p>	<p>Stevens addressed that the City of Kalispell and the City of Whitefish had both written letters showing their disapproval towards the zone change, each stating their own reasons. He did not agree with their stance and pointed out that this was out of jurisdiction. He also expressed his confusion as to why Kalispell was against it when they had allowed building along Highway 93 along the scenic corridor (by process of annexation). He felt like it was a reasonable zone request and the light industrial zone would fit in nicely out there.</p> <p>Schlegel asked if there was legal access. Mulcahy said that, for the record, the McDonald property does touch the county road on the north boundary. Larsen said that the board doesn't typically look at access.</p>
<p>ROLL CALL TO RECOMMEND APPROVAL (FZC-17-11) 6:29 pm</p>	<p>On a roll call vote the motion passed unanimously on a roll call vote.</p>
<p>OLD BUSINESS 6:30 pm</p>	<p>None</p>
<p>NEW BUSINESS 6:30 pm</p>	<p>Mussman said he would like to present to the board some possible changes to the zoning regulations. These items would include housekeeping items, clarifying language and definitions, as well as review of the listed zones and possibly condensing them. They discussed some of the things he would like</p>

to accomplish and their concerns. He wondered how the board would like to deal with it. Larsen said he would like to do it in all one unit at one time. After further discussion and concerns about neighborhood plans and LUACS, it was decided that Mark would present everything that would not be controversial in one unit. The Planning and Zoning department would give the neighborhood information about any possible changes that would affect them so that they have the opportunity to comment prior to board review. Mussman will have it ready to go over in April 2018.

ADJOURNMENT

7:00 pm

The meeting was adjourned on a motion by Schlegel and Larsen at approximately 7:00 pm. The next meeting will be held March 14, 2018


Jeff Larsen, Chairman

V. CHAIR


Angela Phillips, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 3 / 14 / 17

